

AMENDED IN ASSEMBLY JANUARY 16, 1998

AMENDED IN ASSEMBLY JANUARY 6, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1514

Introduced by Assembly Member Goldsmith

February 28, 1997

An act to amend Section ~~54981.7 of the Government~~ 13863 of the Health and Safety Code, relating to public safety services, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1514, as amended, Goldsmith. ~~Contracts for public safety services~~ *Fire protection districts.*

Existing law authorizes fire protection districts to enter into mutual aid agreements with any federal or state agency, any city, county, city and county, or special district.

This bill would extend that authorization to authorize fire protection districts to enter into mutual aid agreements with any federally recognized Indian tribe.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law expressly authorizes a city or county to enter into a contract with an Indian tribe for the city or county to provide fire protection services and police or sheriff protection services for the Indian tribe either solely on Indian~~

lands, or on the Indian lands and territory adjacent to those lands.

This bill would add fire protection districts to those entities authorized to contract to provide those services for an Indian tribe. The bill would provide that those authorized entities may also contract to provide ambulance or emergency medical services, or both, for an Indian tribe. The bill would authorize an Indian tribe to contract to provide ambulance or emergency medical services, or both, within the boundaries of a city, county, or fire protection district.

Vote: majority $\frac{2}{3}$. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 54981.7 of the Government~~
2 ~~Code is amended to read:~~

3 ~~54981.7. A city, county, or fire protection district may~~
4 ~~enter into a contract with an Indian tribe for the city,~~
5 ~~county, or fire protection district to provide fire~~
6 ~~protection services, ambulance or emergency medical~~
7 ~~services, or both, and police or sheriff protection services~~
8 ~~for the Indian tribe either solely in Indian country, or in~~
9 ~~the Indian country and territory adjacent to that Indian~~
10 ~~country, or for the Indian tribe to provide fire protection~~
11 ~~services, or ambulance services or emergency medical~~
12 ~~services, or both, outside Indian country within the~~
13 ~~boundaries of the city, county, or fire protection district.~~
14 ~~Nothing in this section shall be construed to alter or affect~~
15 ~~state jurisdiction in Indian lands.~~

16 *SECTION 1. Section 13863 of the Health and Safety*
17 *Code is amended to read:*

18 *13863. (a) A district may enter into mutual aid*
19 *agreements with any federal or state agency, any city,*
20 *county, city and county, or special district, or federally*
21 *recognized Indian tribe.*

22 *(b) A district may also enter into mutual aid*
23 *agreements with any private firm or corporation which,*
24 *or federally recognized Indian tribe that maintains a*
25 *full-time fire department. The firm or corporation, or*

1 *federally recognized Indian tribe*, or any of its employees,
2 shall have the same immunity from liability for civil
3 damages on account of personal injury to or death of any
4 person or damage to property resulting from acts or
5 omissions of its fire department personnel in the
6 performance of the provisions of the mutual aid
7 agreement as is provided by law for the district and its
8 employees, except when the act or omission occurs on
9 property under the control of the firm ~~or~~ corporation, *or*
10 *federally recognized Indian tribe*.

11 SEC. 2. This act is an urgency statute necessary for the
12 immediate preservation of the public peace, health, or
13 safety within the meaning of Article IV of the
14 Constitution and shall go into immediate effect. The facts
15 constituting the necessity are:

16 In order to provide urgently needed services within an
17 appropriate timeframe, it is necessary that this act take
18 effect immediately.

